



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

October 12, 1994

Wayne Blevins, Ed.D.
Executive Director
Teacher Retirement System of Texas
1000 Red River Street
Austin, Texas 78701-2698

OR94-646

Dear Mr. Blevins:

You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, chapter 552 of the Government Code. Your request was assigned ID# 27476.

You sought an open records decision from this office pursuant to section 552.305 of the act. Consequently, this office notified representatives of Texas Commerce Bank and Chemical Bank that we received your request for an open records decision regarding information contained in the response submitted by Texas Commerce Bank to the Teacher Retirement System of Texas RFP for Custodial Services and Securities Lending. In our letter to Texas Commerce Bank and Chemical Bank, this office requested an explanation as to why portions of the response to the RFP were excepted from public disclosure, with the caveat that their failure to provide such an explanation within a reasonable time would result in this office instructing you to disclose the information.

More than fourteen (14) days have elapsed since this office issued the notice, but Texas Commerce Bank and Chemical Bank have failed to provide this office with any explanation as to why the requested documents should not be released. Consequently, we have no basis for applying any exceptions to required public disclosure to this information. See Open Records Decision No. 552 (1990). Because neither you nor Texas Commerce Bank nor Chemical Bank have contended to this office that the requested information should be withheld, you should release the information at this time.

If you have any questions regarding this letter, please contact our office.

Yours very truly,



Rebecca L. Payne
Section Chief
Open Government Section

RLP/sbm

Ref.: ID# 27476

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